

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Leslie Wilbert,

Petitioner

v.

Jeremy Bean, et al.,

Respondents

Case No. 2:24-cv-01985-CDS-MDC

Order

Petitioner Leslie Wilbert has submitted a pro se petition for writ of habeas corpus. ECF No. 1-1. He has filed an application to proceed in forma pauperis, but he has failed to include the completed financial certificate and the inmate account statements. Accordingly, this matter has not been properly commenced. 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2.

This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice might materially affect a later analysis of any timeliness issue with regard to a new action.

Accordingly, Wilbert has until January 3, 2025 to either (1) pay the \$5.00 filing fee or (2) submit a fully completed application to proceed *in forma pauperis* by an incarcerated person, with the financial certificate completed and signed by an authorized officer and an inmate account statement for the past six months. Failure to do so may result in the dismissal of this action without prejudice.

It is therefore ordered that on or before January 3, 2025, Wilbert must either pay the \$5.00 filing fee or submit a completed application to proceed in forma pauperis, with the financial certificate and his inmate account statement for the past six months.

1 It is further ordered that if Wilbert fails to comply with this order, this action may be
2 dismissed without prejudice and without further prior notice.

3 The Clerk of Court is directed to send to Wilbert one copy of the application to proceed
4 *in forma pauperis* for incarcerated persons, with instructions.

5 Dated: December 2, 2024

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8 Cristina D. Silva
9 United States District Judge
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